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PATENT  
Customer No. 22,852  
Attorney Docket No. 04329.2555

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hiroshi NOMURA

Application No.: 09/816,164

Filed: March 26, 2001

For: METHOD OF MEASURING  
DISPLACEMENT OF OPTICAL  
AXIS, OPTICAL MICROSCOPE  
AND EVALUATION MARK

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) Group Art Unit: 2873  
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) Examiner: Unassigned  
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#5  
10-29-01  
Payton

Commissioner for Patents and Trademarks  
Washington, DC 20231

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure (IDS) supplements the IDS filed on March 26, 2001, and is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

A copy of the listed document is attached. Applicant respectfully requests that the Examiner consider the listed document and indicate that they were considered by making appropriate notation on the attached form.

The following is a concise statement of relevance of the non-English language document:

1. Japanese Patent No. 10-287837 discloses an evaluation method based on the coma of the microscope of the alignment sensor in which wide patterns and narrow patterns are alternatively arranged on a silicon wafer at regular intervals and the intervals are observed by means of an alignment sensor. An English language abstract is also enclosed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "prior art." If the Examiner applies this document as prior art against any claim in the application and Applicant determines that the cited document does not constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should this document be applied against the claims of the present application.

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If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: October 23, 2001

By: Tara Bleech  
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